

MEETING #35 October 8

At a Regular Meeting of the Madison County Board of Supervisors on October 8, 2013 at 3:00 p.m. in the Madison County Administrative Center Auditorium located at 414 N. Main Street:

PRESENT: J. Dave Allen, Chairman
Doris G. Lackey, Vice-Chair
Jerry J. Butler, Member
Pete J. Elliott, Member
Jonathon Weakley, Member
Ernie Hoch, County Administrator
Phillip Tartaglia, Finance Director
V. R. Shackelford, III, County Attorney
Jacqueline S. Frye, Clerk of the Board

1. Call to Order/Determine the Presence of a Quorum

Chairman Allen called the meeting to order and noted that all members are present and a quorum was established.

2. Pledge of Allegiance & Moment of Silence

The Board of Supervisors commenced their meeting with the Pledge of Allegiance and a moment of silence.

3. Adopt Agenda

Chairman Allen advised that Ms. Nan Coppedge and members of the Madison Boy's & Girl's Club will be present at 4:00 p.m. to observe today's session and possibly provide public comment.

Chairman Allen advised the Board will need to add **Item 9a (Consider Resolution - SNP) and Item 9b (October Workshop Session)**.

Supervisor Lackey moved the Board adopt the Agenda amended, seconded by Supervisor Weakley, with the following vote recorded:

J. Dave Allen	Aye
Doris G. Lackey	Aye
Jerry J. Butler	Aye
Pete J. Elliott	Aye
Jonathon Weakley	Aye

4. Monthly Reports

a. Department Heads (if necessary)

The County Administrator advised that in the future, there are plans to have at least one (1) Department Head provide a presentation to the Board at each meeting.

i. Madison County Animal Shelter (Input from Open House Event)

Greg Cave, ACO, was present and advised the event yielded the adoption of three (3) cats and one (1) dog; donations were received (i.e. food, treats, etc.) an article will be published in the local newspaper; an article was submitted to NACA (National Animal Control Association magazine); photos will be sent to members of the Topping Family who were unable to attend the event; two (2) projects remain to be completed at the facility (i.e. signage on Route 29 and tile work); many positive comments have been received pertaining to the new addition at the facility and how nice the facility is.

The Board members thanked Mr. Cave and the staff at the facility for the excellent job being done at the facility.

The County Administrator reported that Robert Finks, Director of Emergency Communications, and Carl Pumphrey, Director of Emergency Preparedness, are absent today due to having to attend a training session. Today's packet contains information on a \$7,500.00 grant that Mr. Pumphrey was able to attain for his department – this grant is something that can be applied for each year – this grant is made available to localities that have this type of position in place and can be used to fund costs associated with emergency preparedness (i.e. salary, etc.).

b. Constitutional Officers (if necessary)

None.

c. VDOT (if any)

Mark Nesbit, Warrenton Residency Administrator, was present to provide a monthly report to the Board that reflected various projects the department is working on; requests have been received during the previous week pertaining to the following County roads:

- a) Repton Mills Road
- b) Wilderness Road
- c) Tryme Road

A request was submitted in the past for a traffic study on Route 690 (Beahm Town Road) – this issue will be investigated – follow up information will be provided next month; concerns have also been verbalized as to how frequent the County would like a VDOT representative to attend monthly meetings.

After discussion, it was the consensus of the Board to have a VDOT representative attend meetings on a bi-monthly basis and immediately following any major incidents within the County. The monthly Agenda will be changed to reflect this adjustment.

Concerns verbalized by the Board included the following:

- The location of the stop sign next to the Etlan General Store (folks veering to the left of the sign [instead of the right] at the bottom of the hill off Route 231; and
- How soon will work begin on Twyman's Mill Road after the ad date;

Mr. Nesbit advised he will have someone investigate the signage at the designated location; he also advised that work typically begins about sixty (60) days after the review of bids and contract negotiations for road projects has been completed.

d. School Superintendent (if necessary)

Dr. Matt Eberhardt, Superintendent, was absent from today's session.

e. Bond Release (if any)

None.

f. Finance Office

i. Certificate of Claims [Tourism Enhancement (Fund 11) – FY2014]

On motion of Supervisor Weakley, seconded by Supervisor Lackey, the Certificate of Claims for Tourism Enhancement (Fund 11) July 2013 - FY2014 totaling \$5,043.32 are approved as submitted, with following vote recorded:

J. Dave Allen	Aye
Doris G. Lackey	Aye
Jerry J. Butler	Aye
Pete J. Elliott	Aye
Jonathon Weakley	Aye

ii. Certificate of Claims [General Operations (Post Year) FY2013]

Concerns were verbalized by the Board pertaining to:

- The electric bills for E1, E2 and the Madison Primary School
- A purchase at Lowe's Home Improvement (page 25)
- Monthly payroll (direct deposits)
- Whether the PRA will be responsible for all equipment maintenance in FY2014
- An expenditure for Jarrell's Excavating, Inc. (page 16)

Supervisor Butler motioned the Board approve the Certificate of Claims for General Operations (Post Year) FY2013, totaling \$208,487.90, as submitted, seconded by Supervisor Weakley, with the following vote recorded:

iii. Certificate of Claims- Debt Service (Post Year 2013 – FY2014) [if any] - None

iv. Certificate of Claims – Tourism Enhancement (Post Year 2013 – FY2013)

Supervisor Lackey moved the Board approve the Certificate of Claims for Tourism Enhancement (Post Year 2013 – FY2013) totaling 2,573.50, seconded by Supervisor Butler, with the following vote recorded:

J. Dave Allen	Aye
Doris G. Lackey	Aye
Jerry J. Butler	Aye
Pete J. Elliott	Aye
Jonathon Weakley	Aye

v. Supplemental Requests [General Operations (Fund 10) FY2014]

Supervisor Butler motioned the Board approve the Supplemental Requests [General Operations (Post Year FY2013 – FY2013)] totaling \$932.01, seconded by Supervisor Lackey, with the following vote recorded:

J. Dave Allen	Aye
Doris G. Lackey	Aye
Jerry J. Butler	Aye
Pete J. Elliott	Aye
Jonathon Weakley	Aye

vi. Certificate of Claims [General Operations (Fund 10) FY2014]

Supervisor Lackey advised the designation for Animal Control should be denoted from the Topping Fund and not from the Animal Control departmental budget.

The Finance Director advised that a change has been initiated and referenced in today's packet.

Supervisor Weakley moved the Board approve the Certificate of Claims [General Operations (Fund 10) FY2014] totaling \$637,484.78, seconded by Supervisor Lackey, with the following vote recorded:

J. Dave Allen	Aye
Doris G. Lackey	Aye
Jerry J. Butler	Aye
Pete J. Elliott	Aye
Jonathon Weakley	Aye

vii. Certificate of Claims [Debt Service – FY2014] (if any) - None.

viii Certificate of Claims [Tourism Enhancement (Fund 11) FY2014]

Supervisor Lackey moved the Board approve the Certificate of Claims (Fund 11) for Tourism Enhancement FY2014 totaling \$14,382.33, seconded by Supervisor Butler, with the following vote recorded:

J. Dave Allen	Aye
Doris G. Lackey	Aye
Jerry J. Butler	Aye
Pete J. Elliott	Aye
Jonathon Weakley	Aye

ix. Supplemental Requests – General Operations (August 2013 – FY2014)

1. Sheriff – Law Enf.	#31200-5897; 240107	Misc. Grants - ALPR	\$16,040.00
2. Parks & Recreation	#71100-5690; 161201	PRA- Youth Prog. Aug. Dep.	\$15,098.80
3. Parks & Recreation	#71100-5691; 161201	PRA Other Pmts. Aug. Dep.	\$ 466.58
4. Parks & Recreation	#71100-8108; 180916	PRA – Equipment Other	\$12,355.69

TOTAL:	\$43,961.07
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Supervisor Weakley moved the Board approve the Supplemental Requests [General Operations – August 2013 FY2014], totaling \$43,961.07, seconded by Supervisor Butler, with the following vote recorded:

J. Dave Allen	Aye
Doris G. Lackey	Aye
Jerry J. Butler	Aye
Pete J. Elliott	Aye
Jonathon Weakley	Aye

g. Minutes #31 and #32

Supervisor Lackey advised a correction is needed on page 1 of Minutes #32 (should read **"satisfied"** instead of **"dissatisfied."**)

Supervisor Lackey moved the Board approve Minutes #32 as corrected, and Minutes #31 as presented, seconded by Supervisor Weakley, with the following vote recorded:

J. Dave Allen	Aye
Doris G. Lackey	Aye
Jerry J. Butler	Aye
Pete J. Elliott	Aye
Jonathon Weakley	Aye

5. Consent Agenda:

None.

6. Discussion/Action Items:

a. PRA Appropriation for 2013 Carryover to 2014: The County Administrator provided a printout of the closing balances for PRA for the year; funding was appropriated into the departmental budget – unspent funds totaling \$44,000.00 will need to be rolled over into the PRA budget for the next year.

Supervisor Butler motioned the Board approve the re-appropriation of \$44,000.36 into the PRA departmental budget, seconded by Supervisor Weakley, with the following vote recorded:

J. Dave Allen	Aye
Doris G. Lackey	Aye
Jerry J. Butler	Aye
Pete J. Elliott	Aye
Jonathon Weakley	Aye

b. Re-appropriation for Road Bond – FY2013 & FY2014: The County Administrator advised this re-appropriation request is for money the County received as part of a bond settlement; the total amount of unspent funds for the year was \$118,550.00, which will need to be re-appropriated to cover a few expenses.

After discussion, it was advised that once clearance has been attained for the road (Fox Ridge); although all work has been done, the monies must remain in an escrow account for one (1) year until the road is accepted into the State Road System.

Supervisor Butler motioned the Board re-appropriate \$118,550.00 back into the road maintenance fund for Fox Ridge Road, seconded by Supervisor Lackey, with the following vote recorded:

J. Dave Allen	Aye
Doris G. Lackey	Aye
Jerry J. Butler	Aye
Pete J. Elliott	Aye
Jonathon Weakley	Aye

c. Transfer Station – Proposed Change to Landfill Fees/Procedures: The County Administrator provided a copy of a proposed fee scheduled discussed during past meetings; recommendations were provided for consideration along with all general conditions that will also apply (attached to the minutes).

The Board members weren't in favor of citizens being charged a 'fee per bag' for household trash brought to the landfill (Item #4).

The County Administrator advised that citizens can always elect to be 'weighed in' and pay by the ton or perhaps be assessed a minimum fee of \$2.00 per bag (if there are more than four [4] bags) for business or non-profit with no charge for household debris; the main charge will be in the fee per ton (deletion of 'compacted trash') to be \$65.00.

Additional concerns verbalized by the Board pertained to:

- The proposal that all commercial trash will be charged by the ton (Item #3)
- Will there be a 'minimum fee'

Clarification was requested regarding Item #4, as it indicates citizens will be charged 'per bag'; there was also discussion pertaining to the fact that some neighbors bring in debris for the entire subdivision and whether they'd be charged the \$65.00 commercial fee.

The County Administrator advised the proposed scale system will allow staff to link the debris weight to a specific tag number; this will allow staff to assess whether the amount coincides with the norm for a general household. Citizens bringing in large amounts of debris will be given the opportunity to explain what they're doing (can't be operating as a business). The proposed fee schedule also asks that the County request all commercial haulers to register and be included on a list; small home businesses can also register and be issued a hangtag for business and personal use. In closing, the County Administrator suggested a soft approach be done with any proposed changes in order to assess any unintended consequences that may arise.

Further concerns verbalized by the Board pertained to:

- The proposed fee of \$2.00 per bag may evolve into a fee being charged for every bag of debris
- Will there be a designated area for the disposal of burn barrels
- Is there a list of what haulers are charged specific pricing (i.e. commercial [\$65.00] or compacted [\$50.00])

After discussion, the following suggestions were discussed:

- Combine Item #1 and Item #2
- Charge the commercial rate (\$65.00) if more than six (6) bags are being brought for disposal
- Advertised any proposed amendments
- No minimum fee for the disposal of household debris

The County Administrator advised the County's current Ordinance requires that commercial trash be disposed of for a fee; a home business can include their debris with household trash so long as it isn't an extensive amount being brought in on a regular basis; he also suggested the County have a 'hazardous waste day' – research may be needed to determine how to fund this type of an event. Large quantities of recycling materials could also be accepted based upon advance approval by the Board.

The County Administrator questioned whether the County has an official 'no scavenging' program in place at the landfill, and/or if this is something the County wanted to be in place. Currently, there is funding in the recycling budget that can be used to obtain a storage building in which to house usable items, should the Board desire to move forward with this suggestion.

It was the consensus of the Board to initiate the following proposed changes:

- *Charge the commercial rate of \$65.00 if more than six (6) bags are being brought for disposal by a commercial carrier*
- *No 'minimum fee' or 'per bag' fee for the disposal of residential bagged trash debris*

A public hearing will be advertised for the evening session on Tuesday, November 12, 2013 at 7:00 p.m. or shortly thereafter.

d. Resolution for Leasing of County Cars

The County Administrator provided a list of bidders for the proposed project; the low bidder was unable to fulfill their previous commitment; an agreement has now been made with a new low bidder (came in lower than the first low bid) and will include closing costs and fees (US Bank); the Board was asked to consider today's resolution so the agreement can be finalized.

Concerns were verbalized regarding:

- The original plan to 'purchase' vehicles (i.e. today's document denotes 'leasing')
- Is there a mileage limit established
- Will the proposed lease agreement allow the County to prepay and/or add additional cars as needed

The County Administrator explained today's proposed lease agreement will call for the County to 'own' the equipment after the final payment is made in full – it's a 'straight lease' (for a fixed amount), for a 'fixed' amount of vehicles (i.e. law enforcement and facilities). If the County would like to purchase additional vehicles, an application will need to be made for additional financing; budgeting can be done annually if the County would like to purchase one (1) to two (2) vehicles during the next year. Although the law enforcement vehicles aren't ready for pick up, the truck purchased for the Facilities Department is ready at this time

The Finance Director advised the dealership indicated there were production issues, which he feels is the cause of the delay for the law enforcement vehicles.

The County Administrator advised the first payment isn't due until April 2014; however, the FY2014 budget does contain \$60,000.00 (contingency) to be used toward an anticipated 'lease payment' (of the vehicles). Closing date on today's proposed agreement is November 18, 2013; he will check with the lender regarding today's concerns (split deferment) and see if there can be a delay in receipt of the vehicle that's ready for pick up.

Supervisor Butler motioned the Board authorize the County Administrator to enter into a lease agreement, with an attempt to delay closing as long as possible, seconded by Supervisor Weakley.

Supervisor Butler modified his prior motion to approve Resolution #2013-14 [Authorizing the Execution and Delivery of a Master Tax Exempt Lease Purchase Agreement, and

Related Instruments and Determining Other Matters in Connection Therewith] subject to negotiating a delay, seconded by Supervisor Weakley.

Supervisor Elliott advised that although he was in favor of the County receiving the best interest possible, he wasn't at all in favor of supporting a payment to be made for merchandise that hasn't yet been received.

With the following vote recorded:

J. Dave Allen	Aye
Doris G. Lackey	Aye
Jerry J. Butler	Aye
Pete J. Elliott	Nay
Jonathon Weakley	Aye

7. Board of Supervisors' Reports: Meetings Attended in Past Month:

Supervisor Weakley: PRA Monthly Meeting & Workshop Session; Skyline CAP Work Session & Monthly Meeting; Rappahannock River Basin Committee.

Supervisor Butler: Thomas Jefferson EMS Council; Planning Commission; MESA, Skyline CAP, Social Services Board, Madison Town Council; SAFE; Chamber of Commerce; Town Decorating Committee; Madison Volunteer Rescue Squad.

Supervisor Lackey: PRA Monthly Meeting & Workshop Session.

Supervisor Elliott: Madison County Planning Commission Meeting & Workshop.

Chairman Allen: Rappahannock River Basin Committee (focus on storm water control act); CIP Committee; Piedmont Workforce Network; Madison County Volunteer Rescue Squad (recognition of two (2) members [Marjorie Lamar & Paul Coates] for fifty (50) years of consistent, dedicated service; Steve Grayson was also elected into the State Volunteer Rescue Squad Association's Hall of Fame).

4:00 p.m. PUBLIC COMMENT OPPORTUNITY (not to exceed five [5] minutes per speaker)

Chairman Allen opened the floor for public comment.

The following citizens provided citizen input pertaining to zoning issues within the County:

- Mary Breeden (regarding the proposed landfill fee schedule).
- Nan Coppedge, Corey Simms and Scottie Good (Madison Boys' & Girls' Club)

With no further comments being brought forth, Chairman Allen closed the public comment opportunity.

Closed Session (if any) - None

****Dinner Break****

7:00 p.m.

8. Reconvene Meeting:

Chairman Allen reconvened the meeting; all members are present and a quorum was established.

Chairman Allen asked there was a suggestion during the earlier session that the Board schedule a public hearing to attain public input on the proposed landfill fee schedule.

After discussion, it was the consensus of the Board to advertise a public hearing for the 7:00 p.m. session of the November Regular Meeting to receive public input on the above referenced issue.

****7:00 p.m. Public Comment Opportunity (not to exceed five [5] minutes)****

Chairman Allen opened the floor for public comment.

The following individuals provided public comment:

- William (Bill) Campbell (changes at the landfill/timeline for work at WMS)

The County Administrator advised the computer and server have been installed at the scale house; a line has been installed – final hook-up will transpire later this week; new windows and a door will be installed shortly; the new computer will be connected to the scale.

With no additional public comment being brought forth, Chairman Allen closed the public comment opportunity.

9. Madison Volunteer Rescue Squad (MOU)

Chairman Allen advised that changes were recommended during the previous workshop session for review.

The County Administrator called for additional concerns and/or questions.

Steve Grayson, MCVRS representative, was present and verbalized concerns regarding paragraph 4 – he suggested the period of time be extended from **five (5) years to seven (7) years, as stated in today's agreement. The original draft had also stated "completion" and today's version states "begin construction" which the MCVRS is more agreeable with.** If today's version is acceptable to the County, it will be presented to the MCVRS Board for review and/or approval.

The County Attorney advised he has reviewed the agreement – the agreement is as simple and clear as possible.

Supervisor Lackey moved the Board approve the Memorandum of Understanding between the Madison County Board of Supervisors and the Madison County Volunteer Rescue Squad as of October 2013, seconded by Supervisor Butler, with the following vote recorded:

J. Dave Allen	Aye
Doris G. Lackey	Aye
Jerry J. Butler	Aye
Pete J. Elliott	Aye
Jonathon Weakley	Aye

a. Resolution to Request Congress to Open Shenandoah National Park

The County Administrator advised there has been some discussion amongst the tourism community; letters have been written to congress and other representative to make them aware of the impact upon localities due to the closing of the Shenandoah National Par. Today's resolution has been drafted for review and consideration by the Board for endorsement on this issue.

Concerns verbalized by the members included the following:

Supervisor Elliott: Doesn't want to see the County lose any revenue, but he supports what's taking place in Washington.

Supervisor Butler: Not in favor of losing revenue for Madison or the other localities, but doesn't feels this is something the Board should get involved in – this issue must be resolved in Washington.

Supervisor Lackey: Referenced paragraph 6 of today's Resolution (attached) and feels this is an appropriate action for the Board to take.

Supervisor Weakley: Questioned whether other localities are planning to take this same step; he is in support of the funding mechanism being considered.

The County Administrator advised the surrounding localities are considering following suite; although he's unaware if other localities have actually passed a Resolution; he doesn't feel a 'side' is being taken with this endeavor, but feels this is a proposal to request that a resolution be taken to reopen the park.

Chairman Allen: Agrees with all that has been said, although he's unsure if today's proposal will make a difference, he does support the concerns regarding the impact.

Supervisor Lackey's moved the Board approve the Resolution Requesting Congress to Open the Shenandoah National Park as presented, seconded by Supervisor Weakley, with the following vote recorded:

J. Dave Allen	Aye
Doris G. Lackey	Aye
Jerry J. Butler	Nay
Pete J. Elliott	Nay
Jonathon Weakley	Aye

In lieu of today's action being implemented on behalf of the Board, it was determined that a signature page be omitted from the aforementioned Resolution.

The County Administrator advised that no one is allowed to enter the Shenandoah National Park during the current shutdown.

b. October 2013 Workshop Session [Added]

Chairman Allen advised there were no urgent issues to be discussed for the October Workshop Session; therefore, he asked it if was the desire of the Board to continue with the session or cancel.

After discussion, it was the consensus of the Board to continue with the October Workshop Session as previously planned.

10. Information/Correspondence (if any):

Tourism: The County Administrator advised the Department of Tourism has forwarded an RFP for a hotel study; a workshop will be scheduled to follow up on the park issue in February 2014.

Software (Tyler Technologies, Inc.): A kick-off meeting has been scheduled for Thursday, October 17, 2013 beginning at 8:30 a.m. for the new finance software system; an invitation will be forwarded to all Board members to attend the morning session or remain all day; school personnel will also be invited to attend; current 'go live' date is set for July 1, 2014.

Sheriff's Office: Supervisor Butler asked about the status of the following items pertaining to the Sheriff's Office:

- Repairs to the cell door in the Sheriff's Office
- Repairs to the camera in the sally port area
- Repair or replacement of radio units

And whether funding can be used from the highway safety line item for the repair/replacement of the radios and if funding could be used from the Facilities departmental budget for the repairs to the cell door and the camera at the sally port.

The County Administrator advised that Roger Berry, Facilities Director, is attaining quotes for the new hardware that will be required for repairs to the cell door; although he is unsure if highway safety funds can be used (repair/replacement of radio equipment), the Sheriff currently has grant funding that can be used for traffic enforcement. The Sheriff has advised that he'd like to repair one (1) radio unit (at a cost of \$1,500.00) – it was suggested funding be used from the 'technology' line item within his departmental budget.

Supervisor Weakley suggested the above issues be discussed at the October Workshop Session to allow time to discuss this concern more fully.

The Sheriff has also requested a wall be erected in the investigator's office – this should be done within the upcoming week.

Scenic River: Supervisor Elliott questioned whether there has been any discussion about designating some of the local rivers as "Scenic Byways."

The County Administrator advised a packet was emailed in August (from Mr. Young) – no action was taken on the part of the Board at that time; Culpeper and Orange are currently looking at discussing this issue.

Chairman Allen advised that at a recent forum, it was denoted that Orange County has made a request on the scenic river designation; the initial step will require the DCR to conduct a viability study that will call for localities to provide necessary funding. In

closing, it was suggested that input be attained from property owners who live near or adjacent to the river (Rapidan River).

The County Administrator also advised the State cannot make a formal request; interested localities must make request for the State to initiate a study, followed by a public hearing and presentation of the request to Richmond for acceptance.

Supervisor Butler suggested the County review the regulations before moving forward with any type of request.

11. Adjournment:

On motion of Supervisor Weakley, seconded by Supervisor Lackey, Chairman Allen adjourned the meeting, with the following vote recorded:

J. Dave Allen	Aye
Doris G. Lackey	Aye
Jerry J. Butler	Aye
Pete J. Elliott	Aye
Jonathon Weakley	Aye

J. Dave Allen, Chairman
Madison County Board of Supervisors

Jacqueline S. Frye, Clerk of the Board

Adopted on: November 12, 2013

Copied: J. Dave Allen, Doris G. Lackey, Jerry J. Butler, Pete J. Elliott,
Jonathon Weakley, V. R. Shackelford, III, Constitutional Officers

Resolutions and Other Documents Adopted on August 13, 2013:

- 1. Resolution Requesting that Congress Open Shenandoah National Park***
- 2. Resolution #2013-14 [Authorizing the Execution And Delivery of a Master Tax Exempt Lease Purchase Agreement And Related Instruments and Determining Other Matters in Connection Therewith (Leasing County Cars)]***
- 3. Memorandum of Understanding (Madison County Board of Supervisors/Madison Volunteer Rescue Squad***

ADDENDUM

RESOLUTION #2013-14

** At a the regular scheduled meeting of the Madison County Board of Supervisors held in accordance with all applicable legal requirements, including open meeting laws, on the 8th day of October, 2013, the following resolution was introduced and adopted**

RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF A MASTER TAX-EXEMPT LEASE PURCHASE AGREEMENT, AND RELATED INSTRUMENTS, AND DETERMINING OTHER MATTERS IN CONNECTION THEREWITH

WHEREAS, the governing body of the Madison County Board of Supervisors, ("Lessee") desires to obtain vehicles (the "Equipment") described in the Equipment Schedule to the Master Tax-Exempt Lease Purchase Agreement (collectively, the "Agreement") with US Bancorp (Lessor), the form of which has been available for review by the governing body of Lessee prior to this meeting;

WHEREAS, the Equipment is essential for the Lessee to perform its governmental functions; and

WHEREAS, Lessee has taken the necessary steps, including those relating to any applicable legal bidding requirements, to arrange for the acquisition of the Equipment; and

WHEREAS, Lessee proposes to enter into the Agreement with Lessor substantially in the forms presented to this meeting.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF LESSEE AS FOLLOWS:

- | | |
|-------------------|--|
| <u>Section 1.</u> | It is hereby found and determined that the terms of the Agreement in the forms presented to this meeting and incorporated in this resolution are in the best interests of Lessee for the acquisition of the Equipment. |
| <u>Section 2.</u> | The Agreement and the acquisition and financing of the Equipment under the terms and conditions as described in the Agreement are hereby approved. The County Administrator, of Lessee, and any other officer of Lessee who shall have power to execute contracts on behalf of Lessee be, and each of them hereby is, authorized to execute, acknowledge and deliver the Agreement with any changes, insertions and omissions therein as may be approved by the officers who execute the Agreement, such approval to be conclusively evidenced by such execution and delivery of the Agreement. The County Administrator, of the Lessee, and any other officer of Lessee who shall have power to do so be, and each of them hereby is, Authorized to affix the official seal of Lessee to the Agreement and attest the same. |
| <u>Section 3.</u> | The proper officers of Lessee be, and each of them hereby is, authorized and directed to execute and deliver any and all papers, instruments, opinions, certificates, affidavits and other documents and to do or cause to be done any and all other acts and things necessary or proper for carrying out this resolution and the Agreement. |
| Section 4. | Maintenance of Tax-Exempt Status. The County covenants not to take any action or omit any action if the taking or omission would cause interest paid pursuant to the Agreement to be includable in gross income for federal income tax purposes pursuant to Section 103(a) of the Internal Revenue Code of 1986, as amended (the "Code"). The Executing Official may enter into additional covenants on behalf of the County to protect the tax-exempt status of interest which is payable under the Agreement. |

The undersigned further certifies that the above resolution has not been repealed or amended and remains in full force and effect and further certifies that the Agreement executed on behalf of Lessee are the same as presented at such meeting of the governing body of Lessee, excepting only such changes, insertions and omissions as shall have been approved by the officers who executed the same.

Adopted this 8th day of October, 2013 on motion of Supervisor Butler, seconded by Supervisor Weakley.

J. Dave Allen, Chairman
Madison County Board of Supervisors

	Aye	Nay	Abstain	Absent
J. Dave Allen	<u> x </u>	_____	_____	_____
Doris G. Lackey	<u> x </u>	_____	_____	_____
Jerry J. Butler	<u> x </u>	_____	_____	_____
Pete J. Elliott	<u> x </u>	_____	_____	_____
Jonathon Weakley	<u> x </u>	_____	_____	_____

Attest:

Ernest C. Hoch, County Administrator

Memorandum of Understanding
Between The Madison County Board of Supervisors
and the
Madison County Volunteer Rescue Squad
October 8, 2013

The Madison County Board of Supervisors (herein referred to as County) and the Madison County Volunteer Rescue Squad (herein referred to as Squad) agree to the following:

The County agrees to provide funding to the Squad for the sole and specific purpose of building a Rescue Squad facility in Madison County. The first approved amount for FY 2014 is one hundred and fifty thousand dollars (\$150,000.00) payable to the Squad upon ratification of this agreement. Additional amounts will be subject to annual appropriations by the County and this agreement will be amended to reflect any additional funding.

The Squad agrees to provide adequate space to the Madison EMS for their complete operation now and into the future at no charge. The current separate agreement between the parties for equipment is independent of this agreement. The County will be consulted on the construction plans for this building prior to final design and construction. The final plans for construction shall subject to approval by the County.

If the Squad fails to commence construction of a new building within seven years, all funds provided by the County plus any accumulated interest will be returned to the County. This time may be extended by a vote of the County. The Squad shall hold funds provided by the County in an interest bearing account. The Squad shall provide the County a report every six months and annually as to the status of the project and accounting of the funds held in escrow. This money cannot be used for any other purpose than the construction of a new rescue squad building.

In the event the Squad dissolves, ceases to operate, or does not construct a facility, the Squad shall return all funds provided by the County and any accumulated interest to the County. In the event the Squad completes construction and then dissolves or ceases to operate, the Squad shall return all funds provided by the County and any accumulated interest to the County, and the County shall also have a first option to purchase the new building and real property at the then current appraised value, less 110% of any funds provided by the County for this project.

This memorandum of understanding is effective as of the caption date and is executed in duplicate.

Payment 1: October , 2013 in the amount of : \$150,000.00

Payment 2: _____ in the amount of : \$ _____

Payment 3: _____ in the amount of : \$ _____

Payment 4: _____ in the amount of : \$ _____

WITNESS the following signatures.

Madison County Board of Supervisors

By: _____
 Madison County Volunteer Rescue Squad

By: _____
 Madison County Board of Supervisors



Agenda

Madison County Board of Supervisors
Tuesday, October 8, 2013, beginning at 3:00 p.m. & 7:00 p.m.
County Administration Building Auditorium
414 N. Main Street, Madison, Virginia

Agenda

3:00 p.m.

- 1. Call to Order/ Determine Presence of a Quorum**
- 2. *Pledge of Allegiance & Moment of Silence***
- 3. Adoption of Agenda**
- 4. Monthly Reports:**
 - a. Department Heads (if necessary)
 - b. Constitutional Officers (if necessary)
 - c. VDOT – Mark Nesbit, Residency Manager (Warrenton)
 - d. School System (if necessary)
 - e. Bond Release (if any)
 - f. Finance Office
 - i. Certificate of Claims [Tourism Enhancement (Fund 11 – FY20114 - \$5,043.32 (from the September Regular Meeting – 9/10/2013*
 - ii. Certificate of Claims [General Operations (Post Year) FY2013]*
 - iii. Certificate of Claims [Debt Service (Post Year) FY2013] (if any)*
 - iv. Certificate of Claims [Tourism Enhancement (Post Year) 2013 - FY2013]*
 - v. Supplemental Requests [General Operations (Post Year 2013 – FY2013)]*
 - vi. Certificate of Claims [General Operations (Fund 10) FY2014]*
 - vii. Certificate of Claims [Tourism Enhancement (Fund 11) FY2014]*
 - viii. Certificate of Claims [Debt Service – FY2014] (if any)*
 - ix. Supplemental Requests [General Operations (August 2013 – FY2014]*
- g. Minutes**
 - i. #31 through #32**

5. Consent Agenda – None
6. Discussion/Action Item(s)
 - a. PRA Appropriation for 2013 Carryover to 2014
 - b. Re-appropriation for Road Bond – FY2013 & FY2014
 - c. Transfer Station – Proposed Changes to Landfill Fees/Procedures
 - d. Resolution For Leasing of County Cars
7. Board of Supervisors' Reports: Meetings Attended in Past Month

4:00 p.m. PUBLIC COMMENT OPPORTUNITY (not to exceed five [5] minutes per speaker)

 - ***Closed Session (if necessary) will begin at or about 4:30 p.m.*** •

NOTE: Board Action, if necessary, resulting from matters discussed in Closed Meeting will take place during the evening session

****Dinner break from 6:00 PM. – 7:00 PM.****

7:00 p.m.

8. Reconvene Meeting

7:00 p.m. PUBLIC COMMENT OPPORTUNITY (not to exceed five [5] minutes per speaker)

9. *Madison Volunteer Rescue Squad (MOU)*

a. Shenandoah National Park (Resolution)

b. October Workshop (cancel or continue)

10. Information & Correspondence (if any)

11. Adjournment

NOTE: Any unaddressed items from the 3:00 p.m. session will be carried over to the 7:00 p.m. session;

**Items on the agenda not specified by time will generally be taken up in order; however, they may come before or after a time specific item;*

****AMENDMENTS DENOTED IN ROYAL BLUE, YELLOW HIGHLIGHT****